

Report of
Comm. on
Cong. Rep.

IN SENATE OF THE UNITED STATES.

MARCH 4, 1840.

Submitted, laid on the table, and ordered to be printed.

Mr. WALL made the following

REPORT:

The Committee on the Judiciary, to whom was referred the memorial of a delegation of the Latter Day Saints, commonly called Mormons, report:

The petition of the memorialists sets forth, in substance, that a portion of their sect commenced a settlement in the county of Jackson, in the State of Missouri, in the summer of 1831: that they bought lands, built houses, erected churches, and established their homes, and engaged in all the various occupations of life: that they were expelled from that county in 1833, by a mob, under circumstances of great outrage, cruelty, and oppression, and against all law, and without any offence committed on their part, and to the destruction of property to the amount of \$120,000: that the society thus expelled amounted to about 1,200 souls: that no compensation was ever made for the destruction of their property in Jackson: that after their expulsion from Jackson county, they settled in Clay county, on the opposite side of the Missouri river, where they purchased lands, and entered others at the land office, where they resided peaceably for three years, engaged in cultivation and other useful and active employments, when the mob again threatened their peace, lives, and property; and they became alarmed, and finally made a treaty with the citizens of Clay county that they should purchase their lands, and the Mormons should remove; which was complied with on their part, and the Mormons removed to the county of Caldwell, where they took up their abode, and re-established their settlement, not without heavy pecuniary losses and other inconveniences: that the citizens of Clay county never paid them for their lands, except for a small part. They remained in Caldwell from 1836 until the fall of 1838, and during that time had acquired, by purchase from the Government, the settlers, and pre-emptioners, almost all the lands in the county of Caldwell, and a portion of the lands in Davies and Carroll counties; the former county being almost entirely settled by the Mormons, and they were rapidly filling up the two latter counties. Those counties, when the Mormons first commenced their settlement, were, for the most part, wild and uncultivated, and they had converted them into large and well-improved farms, well stocked. Lands had risen in value to \$10 and even \$25 per acre, and those counties were rapidly advancing in cultivation and wealth: that in August, 1838, a riot commenced, growing out of an attempt of a Mormon to vote, which resulted in creating great excite-

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ment and the perpetration of many scenes of lawless outrage, which are set forth in the petition : that they were finally compelled to fly from those counties ; and on the 11th October, 1838, they sought safety by that means, with their families, leaving many of their effects behind : that they had previously applied to the constituted authorities of Missouri for protection, but in vain. They allege that they were pursued by the mob ; that conflicts ensued ; deaths occurred on each side ; and, finally, a force was organized, under the authority of the Governor of the State of Missouri, with orders to drive the Mormons from the State, or exterminate them. The Mormons thereupon determined to make no further resistance, but to submit themselves to the authorities of the State. Several of the Mormons were arrested and imprisoned on a charge of treason against the State ; and the rest, amounting to about 15,000 souls, fled into other States, principally in Illinois, where they now reside.

The petition is drawn up at great length, and sets forth, with feeling and eloquence, the wrongs of which they complain ; justifies their own conduct, and aggravate that of those whom they call their persecutors, and concludes by saying that they see no redress, unless it be obtained of the Congress of the United States, to whom they make their solemn last appeal as American citizens, as Christians, and as men. To which decision they say they will submit.

The committee have examined the case presented by the petition, and heard the views urged by their agent, with care and attention ; and, after full examination and consideration, unanimously concur in the opinion that the case presented for their investigation is not such a one as will justify or authorize any interposition by this Government. The wrongs complained of are not alleged to be committed by any of the officers of the United States, or under the authority of its Government in any manner whatever. The allegations in the petition relate to the acts of the citizens, and inhabitants, and authorities of the State of Missouri, of which State the petitioners were at the time citizens or inhabitants. The grievances complained of in the petition are alleged to have been done within the territory of the State of Missouri. The committee, under these circumstances, have not considered themselves justified in inquiring into the truth or falsehood of the facts charged in the petition. If they are true, the petitioners must seek relief in the courts of judicature of the State of Missouri, or of the United States, which has the appropriate jurisdiction to administer full and adequate redress for the wrongs complained of, and doubtless will do so fairly and impartially ; or, the petitioners may, if they see proper, apply to the justice and magnanimity of the State of Missouri—an appeal which the committee feel justified in believing will never be made in vain by the injured or oppressed. It can never be presumed that a State either wants the power, or lacks the disposition, to redress the wrongs of its own citizens committed within her own territory, whether they proceed from the lawless acts of her officers, or any other persons.

The committee therefore report that they recommend the passage of the following resolution :

Resolved, That the Committee on the Judiciary be discharged from the further consideration of the memorial in this case ; and that the memorialists have leave to withdraw the papers which accompany their memorial.